

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, NOVEMBER 7, 2016.

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Monday, November 7, 2016.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayer.

At the request of Mr. Collins of Boston, the members, guests and employees stood in a moment of silent tribute in memory of John "Jack" Keefe of South Boston. John was a proud United States Navy veteran who honorably served his country during the Vietnam War. John married Kathleen Kenney and together they had four children and nine grandchildren.

John "Jack"
Keefe.

Communications.

Communications

From the Department of Energy Resources (see Section 47 of chapter 209 of the Acts of 2012) submitting a report relative to the process for reactivation of pre-existing hydroelectric power sites, including a review of all necessary permitting and approvals to determine whether and how the process can be expedited and streamlined [copies were forwarded to the committees on Environment, Natural Resources and Agriculture and Telecommunications, Utilities and Energy, as required by said law];

Hydropower
projects,—
reactivation.

From the Department of Public Health (see Section 2RRRR of Chapter 29 of the General Laws) submitting a publication entitled: "2016 Municipal Naloxone Bulk Purchase Trust Fund Annual Report"; and

Naloxone
bulk purchase
trust fund.

From the Department of Public Health (see Item 4590-1506 contained in Section 2 of Chapter 133 of the Acts of 2016) submitting a report regarding primary violence prevention through positive youth development;

Youth
development
and violence
prevention.

Severally were placed on file.

Petitions.

Mr. DeLeo of Winthrop presented a petition (accompanied by bill, House, No. 4724) of Robert A. DeLeo (by vote of the town) that the town of Winthrop be authorized to exempt the position of deputy police chief from the provisions of the civil service law; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Winthrop,—
deputy police
chief.

Mr. Chan of Quincy presented a joint petition (subject to Joint Rule 12) of

Theresa Casey,—

Tackey Chan and John F. Keenan for legislation to establish a sick leave bank for Theresa Casey, an employee of the Massachusetts Rehabilitation Commission; and the same was referred, under Rule 24, to the committee on Rules.

sick leave.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mr. Collins of Boston presented a petition (subject to Joint Rule 12) of Nick Collins relative to establishing a special commission (including members of the General Court) to study the need and feasibility of a helipad in the South Boston section of the city of Boston; and the same was referred, under Rule 24, to the committee on Rules.

South Boston
helipad,—
study.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Mr. Rosa of Leominster presented a petition (subject to Joint Rule 12) of Dennis A. Rosa for legislation to establish a sick leave bank for Alicia Harmon, an employee of the Massachusetts Rehabilitation Commission; and the same was referred, under Rule 24, to the committee on Rules.

Alicia
Harmon,—
sick leave.

Paper from the Senate.

A Resolve establishing a special commission to identify a suitable location for a justice complex in Southern Middlesex County (Senate, No. 1626, amended in lines 19 to 25, inclusive, by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “The commission shall include the following members or their designees: the secretary of public safety and security, who shall chair the commission; the secretary of administration and finance; the Middlesex sheriff; the Middlesex superior court clerk of courts; the commissioner of capital asset management and maintenance; the Middlesex district attorney; chief counsel for the committee for public counsel services; 1 member from the administrative office of the trial court; 2 members of the senate, 1 of whom shall be appointed by the minority leader; and 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader.”) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Middlesex
County,—
justice
complex.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the joint petition of Paul McMurtry and Michael F. Rush for legislation to establish a sick leave bank for Hua Tan, an employee of the Department of Public Health.

Hua Tan,—
sick leave.

Under suspension of the rules, on motion of Mr. Garballey of Arlington, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Resolve establishing a task force on integrity in state and local government (House, No. 4627, changed), ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Government
integrity,—
task force.

Mr. Nangle of Lowell, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. McGonagle of Everett, the resolve was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on motion of Mr. DeLeo of Winthrop, the resolve (having been reported by the committee on Bills in the Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the following bills ought to pass:

Senate bills

Further regulating the sprinkler fitters examination and license requirements relative to working on hydrants and certain components of fire protection sprinkler systems (Senate, No. 2124);

Sprinkler
fitters.

Authorizing the Division of Capital Asset Management and Maintenance to grant an easement to the town of Grafton over a certain parcel of land (Senate, No. 2427, amended); and

Grafton,—
land.

Relative to amphibious sight-seeing vehicle safety (Senate, No. 2473); and

The House Bill relative to motorcycle permit requirements (House, No. 3741);

Duck boats.
Motorcycle
permits.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. McGonagle of Everett, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Senate Bill requiring automated external defibrillators in schools (Senate, No. 2449), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4719. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Schools,—
defibrillators.

Mr. Nangle of Lowell, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. McGonagle of Everett, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2449, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill reconciling inconsistent statutory audit schedules (House, No. 4, changed),

Audits,—
schedules.

ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4720). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. McGonagle of Everett, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill making changes to certain references in the banking laws of the Commonwealth (House, No. 823), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4721). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Banking laws.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. McGonagle of Everett, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to implementing the Massachusetts yellow dot program (House, No. 3024), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4722). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Yellow dot program.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. McGonagle of Everett, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to the Dam and Seawall Removal Fund (House, No. 3655), ought to pass with an amendment in line 1 by striking out the year “2013” and inserting in place thereof the year “2014”. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Dam and seawalls.

Mr. Nangle of Lowell, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. McGonagle of Everett, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (House, No. 3655, amended) was ordered to a third reading.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill relative to transportation infrastructure value capture (House, No. 4094), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4723). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Transportation infrastructure.

Mr. Nangle of Lowell, for said committee, then reported recommending that the matter be scheduled for consideration of the House.

Under suspension of Rule 7A, on motion of Mr. McGonagle of Everett, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 4696, a Bill authorizing the city of Salem to grant one additional license for the sale of alcoholic beverages to be drunk on the premises (House, No. 4718) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Salem,—
liquor license.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Karen Tavernier, an employee of the Massachusetts Department of Transportation (see Senate, No. 2498), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Karen
Tavernier,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Foxborough to the Foxborough housing authority (see House, No. 3938, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Foxborough,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate

Engrossed Bill.

The engrossed Bill establishing a sick leave bank for Aaron Paul, an employee of the Department of Correction (see Senate, No. 2494, amended) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill authorizing the town of Reading to establish a means-tested senior citizen property tax exemption (House, No. 4703) (its title having been

Third
reading

changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

bill.

The House Bill relative to the annual observance of Massachusetts Women's Defense Corps Remembrance Day (House, No. 4074), was read a third time.

Third reading
bill amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 4726), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to snow removal penalties in the city of Boston (House, No. 3326) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Boston,—
snow removal
fines.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 5.

The amendment was adopted; and the bill (House, No. 3326, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

At half past eleven o'clock A.M., on motion of Mr. D'Emilia of Bridgewater (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.